Appl. No.

10/700.326

Applicant

SANFORD D. DAMASCO, ET AL.

Filed

11/03/2003

Title

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED

ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U.

3737

Examiner

KHOLDEBARIN, IMAN K

Docket No.

ENDO108-C1-CP2CP

Customer No.:

33746

Confirm. No. :

5138

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

PETITION FOR SUSPENSION OF RULES UNDER 37 C.F.R. 1.183

Sir/Madam:

Petitioner hereby requests a waiver of certain requirements under 37 C.F.R. 1.48. Under the provisions of Rule 48 statements are required from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his part. Additionally, oaths or declarations (37 C.F.R. 1.63) by the actual inventors are also required.

The undersigned has made significant efforts to obtain the signatures of Jawahar M. Ali and David J. Battles. These efforts are documented in the concurrently filed Petition Under 37 CFR 1.47. However, I have been unable to obtain their signatures. It is therefore respectfully requested that the requirements noted above under Rule 48 be waived.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Attached hereto is the Petition fee set forth in 37 CFR 1.17(f).

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Appl. No. 10/700,326
PETITION FOR SUSPENSION OF RULES UNDER 37 C.F.R. 1.183

Respectfully submitted,

LAWRENCE N. GINSBERG,

Attorney for Applicant, Reg. No. 30,943 Telephone 949-450-5454

10/5/07 DATE

Appl. No. 10/700,326

ADDENDUM TO TRANSMITTAL FORM



Appl. No.

10/700,326

Applicant

SANFORD D. DAMASCO, ET AL.

Filed

11/03/2003

Title

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED

ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U.

3737

Examiner

KHOLDEBARIN, IMAN K

Docket No.

ENDO108-C1-CP2CP

Customer No. : Confirm. No. :

33746 5138

ADDENDUM TO TRANSMITTAL FORM

1. TRANSMITTAL FORM

2. CREDIT CARD PAYMENT FORM

(a)	REQUEST FOR CONTINUED EXAMINATION - (1.17e)	\$ 405.00
(b)	PETITION UNDER 37.C.F.R. 1.47(a) - (1.17g)	200.00
(c)	REQUEST UNDER 37 C.F.R. 1.48(a) - (1.17i)	130.00
(d)	PETITION FOR SUSPENSION OF RULES	
	UNDER 37 C.F.R. 1.183 - (1.17f)	400.00
(e)	PETITION UNDER 37 C.F.R. 1.313 - (1.17h)	130.00
TOTA	AL .	\$ 1,265.00

- 3. REQUEST FOR CONTINUED EXAMINATION (RCE)
- **4.** PETITION UNDER 37.C.F.R. 1.47(a)

Exhibit A

- 1. Letter to Clement K. Wong
- 2. Declaration
- 3. Power of Attorney
- 4. Assignment
- 5. Rule 48 Declaration
- Continuation in part (CIP) patent application (Ser. No. 10/700,326) as filed on 11/3/2003 entitled "COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES."
- 7. Amendment dated 4/30/2007.
- 8. Information Disclosure Statement.
- Patent No. 6,643,535 entitled "SYSTEM FOR PROVIDING COMPUTER GUIDED ABLATION OF TISSUE."
- 10. Domestic Return Receipt

Exhibit B

- 1. Letter to Jawahar M. Ali
- Declaration
- 3. Power of Attorney
- 4. Assignment

ADDENDUM TO TRANSMITTAL FORM

- 5. Rule 48 Declaration
- 6. Domestic Return Receipt

Exhibit C

- 1. Letter to Jawahar M. Ali
- 2. Declaration
- 3. Power of Attorney
- 4. Assignment
- 5. Rule 48 Declaration

Exhibit D

- 1. Letter to David J. Battles
- 2. Declaration
- 3. Power of Attorney
- 4. Assignment
- 5. Rule 48 Declaration

5. REQUEST UNDER 37 C.F.R. 1.48(a)

Attachments:

- 1. Statement Under Rule 48 executed by Paul W. Mikus;
- 2. Statement Under Rule 48 executed by Jay J. Eum;
- 3. Declaration for Filing Patent Application (37 C.F.R. 1.63) executed by Sanford D. Damasco:
- 4. Declaration for Filing Patent Application (37 C.F.R. 1.63) executed by Thach Duong and Jay J. Eum;
- 5. Declaration for Filing Patent Application (37 C.F.R. 1.63) executed by Paul W. Mikus;
- 6. Assignee Consent in Support of Request for Correction of Inventorship Under Rule 48:
- 7. Assignment executed by Sanford D. Damasco;
- 8. Assignment executed by Thach Duong and Jay J. Eum;
- 9. Assignment executed by Paul W. Mikus.
- **6.** PETITION FOR SUSPENSION OF RULES UNDER 37 C.F.R. 1.183
- **7.** PETITION UNDER 37 C.F.R. 1.313
- 8. POWER OF ATTORNEY OF PAUL W. MIKUS
- 9. POWER OF ATTORNEY OF JAY J. EUM

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

		Application Number	10/700,326		
TRANSMITTAL		Filing Date	Nov 3, 2003		
FORM		First Named Inventor	SANFORD D. DAMASCO		
		Art Unit	3737		
(to be used for all co	orrespondence after initial filing)	Examiner Name	KHOLDEBARIN, IMAN K		
Total Number of Pag	ges in This Submission	Attorney Docket Number	ENDO108-C1-CP2CP		
ENCLOSURES (Check all that apply)					
Amendmen	Attached	Drawing(s) Licensing-related Papers Petition Petition to Convert to a	After Allowance communication to (TC) Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
Extension Express At Information Certified Co Document(avits/declaration(s) of Time Request candonment Request Disclosure Statement opy of Priority s) Rei Application	Pretition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Ac Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on CD	Other Enclosure(s) (please identify below): PLEASE SEE ADDENDUM.		
	to Missing Parts under R 1.52 or 1.53				
	SIGNATUR	E OF APPLICANT, ATTORN	NEY, OR AGENT		
Firm Name Signature	ENDOCARE, INC.				
Printed name	LAWRENCE N. GINSBI	ERG			
Date	10/5/07		Reg. No. 30943		
	CERTI	FICATE OF TRANSMISSION	N/MAII ING		
I hereby certify that sufficient postage as date shown below.	this correspondence is being fac-	simile transmitted to the USPTO of	or deposited with the United States Postal Service with stents, P.O. Box 1450, Alexandria, VA 22313-1450 on the		
Signature	X NAKY				
Typed or printed na	me LAWRENCE N. GI	NSBERG	Date 10/5/07		
This collection of information is required by 37 CER 15. The information is required to obtain or retain a benefit by the nublic which is to file (and by the					

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.





September 26, 2007

EXHIBIT B
ITEM 1

Jawahar M. Ali 26541 Rancho Park Lake Forest, CA 92630

Re: Our Reference No.:

ENDO108-C1-CP2-CP

Title:

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING

DEVICES

Application No.: Date Filed:

10/700,326 11/3/2003

Inventors (as

corrected:

SANFORD D. DAMASCO; THACH DUONG, JAWAHAR M.

ALI; DAVID J. BATTLES; PAUL W. MIKUS and JAY J. EUM

Action:

TO CORRECT A CONTINUATION IN PART PATENT APPLICATION TO REFLECT FURTHER INVENTORS

Dear Jawahar,

Attached to this letter are several documents pertaining to the above identified continuation in part (CIP) patent application entitled "COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES" which was filed on 11/3/2003. This CIP case was filed listing only Sanford D. Damasco and Thach Duong as the co-inventors. However, we now believe that the inventorship was in error and desire to add Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as co-inventors on this application. Your assistance is requested in correcting the inventorship relative to this case.

Please execute the attached papers where indicated:

- 1. Declaration
- 2. Power of Attorney
- 3. Assignment
- 4. Rule 48 Declaration

We have also attached copies of the following documents for your reference:

- 1. Continuation in part (CIP) patent application (Ser. No. 10/700,326) as filed on 11/3/2003 entitled "COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES."
- Amendment dated 4/30/2007.
- 3. Information Disclosure Statement.
- 4. Patent No. 6,643,535 entitled "SYSTEM FOR PROVIDING COMPUTER GUIDED ABLATION OF TISSUE."

Web www.endocare.com

201 Technology Drive



Page Two September 26, 2007 Our Reference No. ENDO108-C1-CP2-CP Application No. 10/700,326

As further background, this continuation in part application stems from the 6,643,535 (a.k.a. Autofreeze®) issued patent (attached). The present CIP patent application claims the use of an integrated ablative/temperature sensing device as part of the Autofreeze® feedback system. This is described in detail in the CIP patent application. The documents for which we are requesting your signature will provide the basis for adding Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as co-inventors to this CIP.

As a reminder, the patent statutes impose a duty to disclose, to the Patent Office, information which is material to the examination of the Application. Such information is material when there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the Application to issue as a patent. Please let us know if there are any patents or publications, other than those disclosed in the enclosed Information Disclosure Statement, of any type, that might be considered to be material, and that we should therefore disclose to the Patent Office. Please note that the duty of disclosure set forth in the patent statutes is a continuing obligation, which remains even after the Application has been filed. Thus, please contact us if material information comes to your attention during the pendency of the case.

Thank you in advance for your cooperation. We note that time is of the essence relative to your signing of this paperwork because the CIP has been allowed and we have deferred issuance of the patent application to clear up these issues of inventorship. We therefore request your returning the signed paperwork within two (2) weeks of your receipt of these documents. Please let us know if you have any questions whatsoever.

Very truly yours,

Lawrence N. Ginsberg Intellectual Property Counsel

Telephone:

949.450-5454

E-Mail:

LGinsberg@endocare.com

EXHIBIT B ITEM 2

PTO/SB/01 (06-07) Approved for use through 06/30/2007. OMB 0651-0032

J.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

DECLARATION FOR UTILITY OR	Attorney Docket Number	ENDO108-C1-CP2-CP
DESIGN	First Named Inventor	SANFORD D. DAMASCO
PATENT APPLICATION	COMPLETE IF KNOWN	
(37 CFR_1.63)	Application Number	10/700,326
Declaration Submitted OR Declaration Submitted after Initial	Filing Date	11/3/2003
With Initial Filing (surcharge Filing (37 CFR 1.16 (e))	Art Unit	3737
required)	Examiner Name	KHOLDEBARIN, IMAN K

I hereby declare that:								
Each inventor's residence, mailir	ng address, and	d citizenship are as stated t	pelow next to their na	ame.				
I believe the inventor(s) named to) of the subject matte	er which is claimed and for				
which a patent is sought on the i	nvenuon enuue	90:	-]				
COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES								
		(Title of the Invention)						
the specification of which								
is attached hereto								
OR								
X was filed on (MM/DD/YY)	YY) 11/03/	/2003 as United Sta	ates Application Numb	per or PCT International				
, <u>Triodizoo</u>								
Application Number 10/700,326 and was amended on (MM/DD/YYYY) 04/30/2007 (if applicable).								
I hereby state that I have reviewe amended by any amendment spe	d and understa ecifically referre	nd the contents of the above d to above.	e identified specificati	on, including the claims, as				
I acknowledge the duty to discless continuation-in-part applications, and the national or PCT internation	ose information material inform onal filing date o	n which is material to pater nation which became availal of the continuation-in-part ap	ntability as defined in ble between the filing polication.	n 37 CFR 1.56, including for g date of the prior application				
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.								
Prior Foreign Application Number(s)	0	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO				
Number(s)	Country	(14114110071111)	Not Claimed	YES NO				
Additional foreign application	numbers are list	ted on a supplemental priority of	data sheet PTO/SB/02I	3 attached hereto:				

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form call 1.800-PTO-9199 and select conting 2

DECLARATION – Utility or Design Patent Application							
correspondence to:	address ociated with stomer Number:		33746			Correspondence address below	
Name				***			
Address							
City			State			ZIP	
Country	1 '	ohone) 450-5454		Email LGinsbe	rg@endoo	care.com	
WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
NAME OF SOLE OR FIRST IN Given Name (first and middle [A pe	· · · · · · · · · · · · · · · · · · ·	been filed for this unsigned inventor Family Name or Surname			
SANFORD D.			DAMAS				
Inventor's Signature			•		Da	ate	
Residence: City Irvine	State CA				Citizenshij US		
Mailing Address 22 Rincon							
City Irvine	State CA		Zip 92620		Coui US	ntry	

X Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

PTO/SB/02A (06-07)
Approved for use through 06/30/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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DECLARATION

ADDITIONAL INVENTOR(S)

DECLARATION		Supplen	nent	al Sheet	Page 3 of 4.	
Name of Additional Joint Inventor, if any:	ame of Additional Joint Inventor. if any:			unsigned inventor		
Given Name (first and middle[if any])		Family N	Name	e or Surname		
THACH		DUO				
Inventor's Signature					Date	
Tustin	CA		0	us	US	
Residence: City	State		Coun	try	Citizenship	
2037 Cherokee Mailing Address						
Tustin City	State	CA		92782 Zip	US Country	
Name of Additional Joint Inventor, if any:	A petition has been filed for this					
Given Name (first and middle [if any])		Family Name or Surname				
JAWAHAR M.			ALI			
Inventor's Signature					Date	
Lake Forest	CA			US	IN	
Residence: City	State	10	Coun	itry	Citizenship	
26541 Rancho Park						
Mailing Address						
Lake Forest		CA		92630	US	
City	State			Zip	Country	
Name of Additional Joint Inventor, if any:	A petition has been filed		n has been filed for this	r this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname				
DAVID J.		BATT	ΓLE	<u>:S</u>		
Inventor's Signature					Date	
Santa Barbara Residence: City	CA State	Country		• • •	US Citizenship	
P.O. Box 1559					·	
Mailing Address						
Santa Barbara City	State	CA		93102 Zip	CA Country	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/02A (06-07)
Approved for use through 06/30/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION			ental Sheet	Page 4 of 4.	
Name of Additional Joint Inventor, if any:	A petition has been filed for this unsigned inventor				
Given Name (first and middle[if any])		Family Nar	me or Surname		
PAUL W.		MIKUS			
Inventor's Signature				Date	
Trabuco Canyon	CA		US	US	
Residence: City	State	Co	untry	Citizenship	
31 Pegasus Drive Mailing Address					
Trabuco Canyon	T (CA	92679	US	
City	State		Zip	Country	
Name of Additional Joint Inventor, if any:		A petiti	ion has been filed for this	his unsigned inventor	
Given Name (first and middle [if any])			Family Name	or Surname	
JAY J.		EUM			
Inventor's Signature		Date			
Irvine	CA		US	US	
Residence: City	State	Co	untry	Citizenship	
124 Spring Valley					
Mailing Address					
Irvine		CA	92602	US	
City	State		Zip	Country	
Name of Additional Joint Inventor, if any:		A petiti	petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname			
Inventor's Signature		Date			
Residence: City	State		untry	Citizenship	
Mailing Address					
City	State		Zip	Country	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EXHIBIT B ITEM 3

PTO/SB/81 (01-06)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY and **CORRESPONDENCE ADDRESS INDICATION FORM**

Application Number	10/700,326
Filing Date	11/3/2003
First Named Inventor	SANFORD D. DAMASCO
Title	COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES
Art Unit	3737
Examiner Name	KHOLDEBARIN, IMAN K
Attorney Docket Number	ENDO108-C1-CP2-CP

I hereby revoke all previous powers of attorney given in the above-identified application.	
I hereby appoint:	
X Practitioners associated with the Customer Number: 33746	
OR ·	
Practitioner(s) named below:	
Name Registration Number	
	-
as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United Trademark Office connected therewith.	States Patent and
Please recognize or change the correspondence address for the above-identified application to:	
The address associated with the above-mentioned customer Number. 331 40	
OR	
The address associated with Customer Number: OR	
Firm or Individual Name	
Address .	
City State Zip	
Country	
Telephone Email	
I am the: X Applicant/Inventor	
Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).	
SIGNATURE of Applicant or Assignee of Record	<u> </u>
Signature Date	
Name JAWAHAR M. ALI Telephone	
Title and Company	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple for one signature is required, see below*.	rms if more than
*Total of forms are submitted.	

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EXHIBIT B

ASSIGNMENT

ENDO108-C1-CP2-CP

Assignment Before Issue of Letters Patent

WHEREAS, Sanford D. Damasco, Thach Duong, Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum (hereinafter "Assignor") have invented certain new and useful improvements in

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES

(hereinafter "invention") for which Assignor has made application for LETTERS PATENT OF THE UNITED STATES (Ser. No. 10/700,326 filed November 3, 2003), which application has been duly executed by Assignor on even date herewith.

AND WHEREAS, ENDOCARE, INC., a corporation organized and existing under the laws of the State of Delaware, U.S.A., having a place of business at ENDOCARE, Inc., 201 Technology Drive, Irvine, CA 92618 U.S.A. hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said invention within the United States of America and its territorial possessions and all foreign countries and any United States or foreign LETTERS PATENT that may be granted therefore.

NOW, THIS INDENTURE WITNESSETH, that for good and valuable considerations, the receipt whereof is hereby acknowledged, Assignor has assigned, sold and transferred, and does hereby assign, sell and transfer to the said Assignee the entire right, title and interest in and to the said invention, within the United States of America and its territorial possessions and all foreign countries and in and to any LETTERS PATENT of the United States and foreign countries, including utility models, inventor's certificates and like government grants, and all divisions, reissues, continuations and extensions thereof that may be granted therefor, and the right to apply for LETTERS PATENT in foreign countries with full benefit of such priorities as may now or hereafter be granted to Assignor by local laws or by treaty, including any international convention, for the protection of industrial property, together with the right to extend the protection of said U.S. LETTERS PATENT to the various territorial possessions now owned or which may be hereafter acquired by the United States of America, all said rights to be held and enjoyed by the Assignee for its own use and benefit, and for the use and benefit of its successors or assigns, to the full end of the term for which said LETTERS PATENT may be granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made. And Assignor does hereby request and authorize the Commissioner of Patents and Trademarks, U.S.A., to issue said U.S. LETTERS PATENT, when granted, in accordance with this assignment.

Assignor further covenants and agrees with the Assignee that Assignor has a full and unencumbered title to the invention hereby assigned, which title Assignor warrants unto the Assignee, and Assignor further agrees that Assignor will, without demanding any further consideration therefor, at the request but at the expense of the Assignee, do all lawful and just acts, including the execution and acknowledgment of instruments, that may be or become necessary for obtaining, sustaining, extending, reissuing or reexamining United States and foreign LETTERS PATENT or the like for the said invention, and for maintaining and perfecting the Assignee's right to said invention and LETTERS PATENT particularly in cases of interference, conflict, opposition and litigation.

IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007
SANFORD D. DAMASCO		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	

THACH DUONG

ASSIGNMENT

ENDO108-C1-CP2-CP

IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
JAWAHAR M. ALI		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
DAVID J. BATTLES		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
PAUL W. MIKUS		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
JAY J. EUM		

EXHIBIT B ITEM 5

Appl. No. 10/700,326 Statement Under Rule 48

Appl. No.

10/700,326

Applicant

DAMASCO ET AL

Filed

11/03/2003

Title

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED

ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U.

3737

Examiner

KHOLDEBARIN, IMAN K

Docket No.

ENDO108-C1-CP2CP

Customer No.:

33746

Confirm. No. :

5138

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

STATEMENT UNDER RULE 48

Sir/Madam:

I, JAWAHAR M. ALI hereby declare that:

I was not listed as an inventor during the original filing of the above identified continuation in part patent application (Serial No. 10/700,326). This error in inventorship occurred without deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,		

JAWAHAR M. ALI Applicant/Inventor 26541 Rancho Park Lake Forest, CA 92630 Date

RETURN RECEIPT

1 2007 "

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DE	LIVEF
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. 	A. Signature	☐ Agent
Attach this card to the back of the mailplece, or on the front if space permits.	B. Received by (Printed Name)	C. Date of Delivery
1. Article Addressed to:	D. Is delivery address different from its If YES, enter delivery address belo	m 1? Yes
Investor M. SANS		AL PARTIES
Jawahar McAill 26544 Rancho Park		
26544-Rancho Park Lake Forest, CA 92630	3. Service Type Si Certified Mati	ull elpt for Merchandise
26544 Rancho Park Lake Forest, CA 92630	☑ Certified Mail ☐ Express Ma	eipt for Merchandise
26544 Rancho Park Lake Forest, CA 92630	☑ Certified Mail ☐ Express Ma ☐ Registered ☐ Return Reco ☐ Insured Mail ☐ C.O.D.	

Jawahar Mark 26541 Rancho Park Lake Forest, CA 92630



EXHIBIT ITEM 6



201 Technology Drive Irvine, California 92618

endocare extending life everyday"



VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED



October 1, 2007

EXHIBIT C ITEM 1

Jawahar M. Ali 26541 Rancho Parkway S. Lake Forest, CA 92630

Our Reference No.: Re:

Title:

ENDO108-C1-CP2-CP

COMPUTER GUIDED ABLATION OF TISSUE USING

INTEGRATED ABLATIVE/TEMPERATURE SENSING

DEVICES 10/700.326

Application No.:

Date Filed: Inventors (as 11/3/2003

corrected:

SANFORD D. DAMASCO; THACH DUONG, JAWAHAR M. ALI; DAVID J. BATTLES; PAUL W. MIKUS and JAY J. EUM

Action:

TO CORRECT A CONTINUATION IN PART PATENT **APPLICATION TO REFLECT FURTHER INVENTORS**

Dear Jawahar,

Attached to this letter are several documents pertaining to the above identified continuation in part (CIP) patent application entitled "COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES" which was filed on 11/3/2003. This CIP case was filed listing only Sanford D. Damasco and Thach Duong as the co-inventors. However, we now believe that the inventorship was in error and desire to add Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as co-inventors on this application. Your assistance is requested in correcting the inventorship relative to this case.

Please execute the attached papers where indicated:

- Declaration 1.
- 2. Power of Attorney
- **Assignment** 3.
- Rule 48 Declaration

We have also attached copies of the following documents for your reference:

- 1. Continuation in part (CIP) patent application (Ser. No. 10/700,326) as filed on 11/3/2003 entitled "COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES."
- 2. Amendment dated 4/30/2007.
- 3. Information Disclosure Statement.
- Patent No. 6,643,535 entitled "SYSTEM FOR PROVIDING COMPUTER GUIDED 4. **ABLATION OF TISSUE."**



Page Two
October 1, 2007
Our Reference No. ENDO108-C1-CP2-CP
Application No. 10/700,326

As further background, this continuation in part application stems from the 6,643,535 (a.k.a. Autofreeze®) issued patent (attached). The present CIP patent application claims the use of an integrated ablative/temperature sensing device as part of the Autofreeze® feedback system. This is described in detail in the CIP patent application. The documents for which we are requesting your signature will provide the basis for adding Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as co-inventors to this CIP.

As a reminder, the patent statutes impose a duty to disclose, to the Patent Office, information which is material to the examination of the Application. Such information is material when there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the Application to issue as a patent. Please let us know if there are any patents or publications, other than those disclosed in the enclosed Information Disclosure Statement, of any type, that might be considered to be material, and that we should therefore disclose to the Patent Office. Please note that the duty of disclosure set forth in the patent statutes is a continuing obligation, which remains even after the Application has been filed. Thus, please contact us if material information comes to your attention during the pendency of the case.

Thank you in advance for your cooperation. We note that time is of the essence relative to your signing of this paperwork because the CIP has been allowed and we have deferred issuance of the patent application to clear up these issues of inventorship. We therefore request your returning the signed paperwork within two (2) weeks of your receipt of these documents. Please let us know if you have any questions whatsoever.

Very truly yours,

Lawrence N. Ginsberg

Intellectual Property Counsel

Telephone:

949.450-5454

E-Mail:

LGinsberg@endocare.com

EXHIBIT C ITEM 2

PTO/SB/01 (06-07)

Approved for use through 06/30/2007. OMB 0651-0032

Approved for use through 06/30/2007. OMB 06/30/2007.

Approved for use through 06/30/2007. OMB 06/30/2007. OMB 06/30/2007.

Approved for use through 06/30/2007.

Appr

DECLARATION FOR UTILITY OR	Attorney Docket Number	ENDO108-C1-CP2-CP	
DESIGN	First Named Inventor	SANFORD D. DAMASCO	
PATENT APPLICATION	COMPLETE IF KNOWN		
(37 CFR 1.63)	Application Number	10/700,326	
Declaration Submitted With Initial OR Declaration Submitted after Initial Filing (surcharge	Filing Date	11/3/2003	
	Art Unit	3737	
Filing (37 CFR 1.16 (e)) required)	Examiner Name	KHOLDEBARIN, IMAN K	

I hereby declare that:				
Each inventor's residence, mailir	•	•		
I believe the inventor(s) named to which a patent is sought on the i			s) of the subject mat	ter which is claimed and for
Which a patent is sought on the i	menuon enuu	30:		
COMPUTER GUIDED	ABLATIO	N OF TISSUE USIN	G INTEGRATE	D
ABLATIVE/TEMPERA	ATURE SEI	NSING DEVICES		
		•		
		(Title of the Invention)		
the specification of which				
is attached hereto				
OR				
X was filed on (MM/DD/YY)	YY) 11/03/	/2003 as United St	ates Application Num	ber or PCT International
Application Number 10/700,	326 ar	nd was amended on (MM/D	D/YYYY) 04/30/ 2	(if applicable).
I hereby state that I have reviewed amended by any amendment spe	d and understa ecifically referre	nd the contents of the above d to above.	e identified specificat	ion, including the claims, as
I acknowledge the duty to disck continuation-in-part applications,	ose information	which is material to pate	ntability as defined i	n 37 CFR 1.56, including for
continuation-in-part applications, and the national or PCT internation	material inform onal filing date o	nation which became availa of the continuation-in-part ap	ble between the filin oplication.	g date of the prior application
				eign application(s) for patent
I hereby claim foreign priority be inventor's or plant breeder's right country other than the United Sta application for patent, inventor's of	ts certificate(s),	or 365(a) of any PCT inter	national application	which designated at least one checking the box any foreign
application for patent, inventor's of before that of the application on w	or plant breede	r's rights certificate(s), or an	y PCT international	application having a filing date
Prior Foreign Application	mich phonty is	Foreign Filing Date	Priority	Certified Copy Attached?
Number(s)	Country	(MM/DD/YYYY)	Not Claimed	YES NO
Additional foreign application	numbers are list	ted on a supplemental priority	data shoot BTO/SB/03	R attached bereto:
Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:				

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/01 (06-07)
Approved for use through 06/30/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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DECLARATION - Utility or Design Patent Application						
correspondence to:	e address ociated with stomer Number:		33746	OR		respondence Iress below
Name						
Address						
City			State			ZIP
Country		elephone 949) 450-5454		Email LGinsberg @		e.com
Petitioner/applicant is cautioned contribute to identity theft. Find numbers (other than a check of the USPTO to support a petition USPTO, petitioners/applicants to the USPTO. Petitioner/applicants to the USPTO. Petitioner/applicants to the application (unless a nor of a patent. Furthermore, the referenced in a published application (application of a patent. Furthermore, the referenced in a published applicant application (application) in the petition of the period of the statements and the like so millful false statements may jet the petition of the p	Personal information credit card author or an application should consider relicant is advised tin-publication requirecord from an accition or an issue arposes are not rements made here true; and furthopardize the validation or an issue are punishalopardize the validation or an issue are are are are all an issue are are are are are are are are are ar	tion such as son corization form Pon. If this type of redacting such p that the record of uest in compliance abandoned applied patent (see 3 etained in the application of my own known that these sable by fine or idity of the application.	cial security nu TO-2038 submit personal information application may also TCFR 1.14). Coplication file and towledge are trustatements were imprisonment, of TOSA (1998).	mbers, bank a ted for paymer nation is include tion from the docation is available 1.213(a) is made thecks and creditherefore are not all se made with the proboth, under tent issued the	account nument purposes and in documents be been to the publication of publicly statements he knowled 18 U.S.C. ereon.	mbers, or credit card (a) is never required by nents submitted to the efore submitting them ublic after publication or issuance ic if the application is norization forms PTO-available. made on information dge that willful false 1001 and that such
Given Name (first and middle [i SANFORD D.				ily Name or Sur DAMASCO	mame	ntor
Inventor's Signature					Date	
Residence: City Irvine			Country US		Citizenship US	
Mailing Address 22 Rincon						
City Irvine X Additional inventors or a legal re	State CA		Zip 92620	t(s) PTO/SB/02A or	Country	

PTO/SB/02A (06-07)
Approved for use through 06/30/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

ADDITIONAL INVENTOR(S)

DECLARATION		Supplem	nental	Sheet	Page 3 of	4.
Name of Additional Joint Inventor, if any:		A pet	ition h	as been filed for thi	s unsigned inventor	
Given Name (first and middle[if any]) Family Name or Surname						
THACH DUONG						
Inventor's . Signature	-				Date	
Tustin	CA			US	US	
Residence: City	State	С	ountry		Citizenship	
2037 Cherokee						
Mailing Address						
Tustin		CA		92782	US	
City	State	- 44	Z	ip	Country	
Name of Additional Joint Inventor, if any:		A pet	tition h	as been filed for thi	s unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname				
JAWAHAR M.		ALI				
Inventor's Signature					Date	
Lake Forest	CA			us	IN	
Residence: City	State	c	ountry		Citizenship	
26541 Rancho Parkway S.						
Mailing Address						
Lake Forest		CA		92630	US	
City	State		Z	ip	Country	
Name of Additional Joint Inventor, if any:		A peti	ition ha	as been filed for thi	s unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname				
DAVID J.		BATTLES				
Inventor's Signature					Date	
Santa Barbara	CA			US	US	
Residence: City	State Country				Citizenship	
P.O. Box 1559						
Mailing Address						
Santa Barbara		CA		93102	CA	
City	State		Zi	р	Country	1

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/02A (06-07)
Approved for use through 06/30/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION		Supplemen	ital Sheet	Page 4 of 4.	
Name of Additional Joint Inventor, if any:		A petitio	n has been filed for this	unsigned inventor	
Given Name (first and middle[if any])		Family Name or Sumame			
PAUL W.		MIKUS			
Inventor's Signature				Date	
Trabuco Canyon	CA		US	US	
Residence: City	State	Cou	ntry	Citizenship	
31 Pegasus Drive Mailing Address					
Trabuco Canyon		CA	92679	US	
City	State		Zip	Country	
Name of Additional Joint Inventor, if any:		A petitio	n has been filed for this	unsigned inventor	
Given Name (first and middle [if any])			Family Name	or Surname	
JAY J.		EUM			
Inventor's Signature				Date	
Irvine	CA		us	US	
Residence: City	State	Cou	ntry	Citizenship	
124 Spring Valley					
Mailing Address					
Irvine		CA	92602	US	
City	State		Zip	Country	
Name of Additional Joint Inventor, if any:		A petitio	n has been filed for this	unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname			
Inventor's Signature				Date	
Residence: City	State	Cou	ntry -	Citizenship	
Mailing Address			· · · · · · · · · · · · · · · · · · ·		
City	State		Zip	Country	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EXHIBIT C

Under the Paperwork

PTO/SB/81 (01-06)
Approved for use through 12/31/2008. OMB 0651-0035
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

Application Number	10/700,326
Filing Date	11/3/2003
First Named Inventor	SANFORD D. DAMASCO
Title	COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES
Art Unit	3737
Examiner Name	KHOLDEBARIN, IMAN K
Attorney Docket Number	ENDO108-C1-CP2-CP

I hereby revoke all previous powers of attorney given in the above-identified application.				
I hereby appoint	:			
	ers associated with the Customer Number:	33746		
OR				
Practitione	er(s) named below:			
	Name	Registration Number		
as my/our attorno	u(c) or agent(c) to proceed to the application ide	ntified above, and to transact all business in the United States Patent and		
Trademark Office	connected therewith.	nuiled above, and to transact all business in the United States Patent and		
Please recognize o	or change the correspondence address for the a	bove-identified application to:		
	ress associated with the above-mentioned Cust	tomer Number: 33/40		
OR				
, —	dress associated with Customer Number:			
OR Firm or				
Individual Na	ame			
Address				
City		State Zip		
Country				
Telephone I am the:		Email		
	la carta	·		
X Applicant/	nventor			
	of record of the entire interest. See 37 CFR 3.7 under 37 CFR 3.73(b) is enclosed. (Form PTC			
	SIGNATURE of Appli	icant or Assignee of Record		
Signature		Date		
Name	JAWAHAR M. ALI	Telephone		
Title and Company				
NOTE: Signatures of one signature is requi	all the inventors or assignees of record of the entire intered, see below*.	terest or their representative(s) are required. Submit multiple forms if more than		
*Total of	forms are submitted.			

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EXHIBIT C

<u>ASSIGNMENT</u>

ENDO108-C1-CP2-CP

Assignment Before Issue of Letters Patent

WHEREAS, Sanford D. Damasco, Thach Duong, Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum (hereinafter "Assignor") have invented certain new and useful improvements in

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES

(hereinafter "invention") for which Assignor has made application for LETTERS PATENT OF THE UNITED STATES (Ser. No. 10/700,326 filed November 3, 2003), which application has been duly executed by Assignor on even date herewith.

AND WHEREAS, ENDOCARE, INC., a corporation organized and existing under the laws of the State of Delaware, U.S.A., having a place of business at ENDOCARE, Inc., 201 Technology Drive, Irvine, CA 92618 U.S.A. hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said invention within the United States of America and its territorial possessions and all foreign countries and any United States or foreign LETTERS PATENT that may be granted therefore.

NOW, THIS INDENTURE WITNESSETH, that for good and valuable considerations, the receipt whereof is hereby acknowledged, Assignor has assigned, sold and transferred, and does hereby assign, sell and transfer to the said Assignee the entire right, title and interest in and to the said invention, within the United States of America and its territorial possessions and all foreign countries and in and to any LETTERS PATENT of the United States and foreign countries, including utility models, inventor's certificates and like government grants, and all divisions, reissues, continuations and extensions thereof that may be granted therefor, and the right to apply for LETTERS PATENT in foreign countries with full benefit of such priorities as may now or hereafter be granted to Assignor by local laws or by treaty, including any international convention, for the protection of industrial property, together with the right to extend the protection of said U.S. LETTERS PATENT to the various territorial possessions now owned or which may be hereafter acquired by the United States of America, all said rights to be held and enjoyed by the Assignee for its own use and benefit, and for the use and benefit of its successors or assigns, to the full end of the term for which said LETTERS PATENT may be granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made. And Assignor does hereby request and authorize the Commissioner of Patents and Trademarks, U.S.A., to issue said U.S. LETTERS PATENT, when granted, in accordance with this assignment.

Assignor further covenants and agrees with the Assignee that Assignor has a full and unencumbered title to the invention hereby assigned, which title Assignor warrants unto the Assignee, and Assignor further agrees that Assignor will, without demanding any further consideration therefor, at the request but at the expense of the Assignee, do all lawful and just acts, including the execution and acknowledgment of instruments, that may be or become necessary for obtaining, sustaining, extending, reissuing or reexamining United States and foreign LETTERS PATENT or the like for the said invention, and for maintaining and perfecting the Assignee's right to said invention and LETTERS PATENT particularly in cases of interference, conflict, opposition and litigation.

IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007
SANFORD D. DAMASCO		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007
THACH DUONG		

ASSIGNMENT

ENDO108-C1-CP2-CP

IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
JAWAHAR M. ALI		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
DAVID J. BATTLES		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
PAUL W. MIKUS		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
JAY J. EUM		

EXHIBIT C

Appl. No. 10/700,326 Statement Under Rule 48

Appl. No.

10/700,326

Applicant

DAMASCO ET AL

Filed

11/03/2003

Title

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED

ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U.

3737

Examiner

KHOLDEBARIN, IMAN K

Docket No.

ENDO108-C1-CP2CP

Customer No.:

33746

Confirm. No. :

5138

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

STATEMENT UNDER RULE 48

Sir/Madam:

I, JAWAHAR M. ALI hereby declare that:

I was not listed as an inventor during the original filing of the above identified continuation in part patent application (Serial No. 10/700,326). This error in inventorship occurred without deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted.

JAWAHAR M. ALI Applicant/Inventor 26541 Rancho Parkway S. Lake Forest, CA 92630

Date





September 11, 2007

EXHIBIT D ITEM 1

David J. Battles P.O. Box 1559 Santa Barbara, CA 93102

Our Reference No.:

ENDO108-C1-CP2-CP

Title:

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING

DEVICES

Application No.: Date Filed:

10/700,326

inventors (as

11/3/2003

corrected:

Action:

SANFORD D. DAMASCO; THACH DUONG; JAWAHAR M. ALI: DAVID J. BATTLES; PAUL W. MIKUS and JAY J. EUM

TO CORRECT A CONTINUATION IN PART PATENT

APPLICATION TO REFLECT FURTHER INVENTORS

Dear Dave.

Attached to this letter are several documents pertaining to the above identified continuation in part (CIP) patent application entitled "COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES" which was filed on 11/3/2003. This CIP case was filed listing only Sanford D. Damasco and Thach Duong as the co-inventors. However, we now believe that the inventorship was in error and desire to add Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as co-inventors on this application. Your assistance is requested in correcting the inventorship relative to this case.

Please execute the attached papers where indicated:

- 1. Declaration
- 2. Power of Attorney

- 3. Assignment
- 4: Rule 48 Declaration

We have also attached copies of the following documents for your reference:

- Continuation in part (CIP) patent application (Ser. No. 10/700,326) as filed on 11/3/2003 entitled "COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES."
- Amendment dated 4/30/2007. 2.
- 3. Information Disclosure Statement.
- Patent No. 6.643,535 entitled "SYSTEM FOR PROVIDING COMPUTER GUIDED 4. **ABLATION OF TISSUE."**



Page Two September 11, 2007 Our Reference No. ENDO108-C1-CP2-CP Application No. 10/700,326

As further background, this continuation in part application stems from the 6,643,535 (a.k.a. Autofreeze®) issued patent (attached). The present CIP patent application claims the use of an integrated ablative/temperature sensing device as part of the Autofreeze® feedback system. This is described in detail in the CIP patent application. The documents for which we are requesting your signature will provide the basis for adding Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as co-inventors to this CIP.

As a reminder, the patent statutes impose a duty to disclose, to the Patent Office, information which is material to the examination of the Application. Such information is material when there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the Application to issue as a patent. Please let us know if there are any patents or publications, other than those disclosed in the enclosed Information Disclosure Statement, of any type, that might be considered to be material, and that we should therefore disclose to the Patent Office. Please note that the duty of disclosure set forth in the patent statutes is a continuing obligation, which remains even after the Application has been filled. Thus, please contact us if material information comes to your attention during the pendency of the case.

Thank you in advance for your cooperation. We note that time is of the essence relative to your signing of this paperwork because the CIP has been allowed and we have deferred issuance of the patent application to clear up these issues of inventorship. We therefore request your returning the signed paperwork within two (2) weeks of your receipt of these documents. Please let us know if you have any questions whatsoever.

Very truly yours,

Lawrence N. Ginsberg
Intellectual Property Counsel

Telephone:

949.450-5454

E-Mail:

LGinsberg@endocare.com

EXHIBIT D ITEM 2

PTO/SB/01 (06-07) Approved for use through 06/30/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION FOR UTILITY OR	Attorney Docket Number	ENDO108-C1-CP2-CP	
DESIGN	First Named Inventor	SANFORD D. DAMASCO	
PATENT APPLICATION	COMPLETE IF KNOWN		
(37 CFR 1.63)	Application Number	10/700,326	
Declaration Submitted With Initial OR With Submitted after Initial Filing (surcharge	Filing Date	11/3/2003	
	Art Unit	3737	
Filing (37 CFR 1.16 (e)) required)	Examiner Name	KHOLDEBARIN, IMAN K	

I hereby declare that:	hereby declare that:					
Each inventor's residence, mailir	g address, and	d citizenship are as stated l	below next to their na	ame.		
I believe the inventor(s) named be which a patent is sought on the in			s) of the subject matte	er which is claimed and for		
which a patent is sought on the i	ivenuon enuue	:0:				
COMPUTER GUIDED	ABLATION	N OF TISSUE USING	G INTEGRATE	D		
ABLATIVE/TEMPERA	TURE SEN	ISING DEVICES				
	•	(Title of the Invention)				
the specification of which		(**************************************				
is attached hereto				•		
OR				•		
x was filed on (MM/DD/YY)	∕Y) 11/03/	as United Sta	ates Application Numb	per or PCT International		
X nee mee on (mm/25/11)	11/03/	2003		———		
Application Number 10/700,3	3 26 an	nd was amended on (MM/D	D/YYYY) 04/30/2	(if applicable).		
I hereby state that I have reviewed	d and understar	nd the contents of the above	e identified specificati	on, including the claims, as		
amended by any amendment spe	cifically referred	d to above.		and change and channer, as		
I acknowledge the duty to discle	se information	which is material to pater	ntability as defined in	n 37 CFR 1.56, including for		
I acknowledge the duty to discle continuation-in-part applications, and the national or PCT internation	nal filing date o	of the continuation-in-part ap	plication.	g date of the phor application		
I hereby claim foreign priority be	enefits under 3	5 U.S.C. 119(a)-(d) or (f),	or 365(b) of any for	eign application(s) for patent,		
I hereby claim foreign priority be inventor's or plant breeder's right country other than the United Sta application for patent, inventor's of	s certificate(s), tes of America	or 365(a) of any PCT inter listed below and have also	nationàl application v identified below, by	which designated at least one checking the box, any foreign		
application for patent, inventor's obefore that of the application on w	or plant breeder	r's rights certificate(s), or an	y PCT international a	application having a filing date		
Prior Foreign Application	THOM priority to	Foreign Filing Date	Priority	Certified Copy Attached?		
Number(s)	Country	(MM/DD/YYYY)	Not Claimed	YES NO		
Additional foreign application	Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:					

[Page 1 of 2]
This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2. PTO/SB/01 (06-07)
Approved for use through 06/30/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paper work Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION – Utility or Design Patent Application

						Y-1	
correspondence to: ass	address ociated with stomer Number:		33746		OR	Correspondence address below	
Name							
Address							
City			State			ZIP	
Country	Telephone (949) 450-5454			Email LGinsberg@endo		docare.com	
		WARN	JINC.				
WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any]) SANFORD D.			Far	Family Name or Surname DAMASCO			
Inventor's Signature						Date	
Residence: City	State		Country		Citizen	ship	
Irvine			us		us		
Mailing Address 22 Rincon							
City	State ·		Zip		С	ountry	
Irvine	CA			92620		s	
X Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.							

PTO/SB/02A (06-07)
Approved for use through 06/30/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

ADDITIONAL INVENTOR(S)

DECLARATION			Supplemental Sheet Page 3 of 4.				
Name of Additional Joint Inventor, if any:		A petition has been filed for this unsigned inventor					
Given Name (first and middle[if any])			Family Name or Surname				
THACH DUONG							
Inventor's Signature	r's				Date		
Tustin Residence: City	CA State				US Citizenship		
2037 Cherokee Mailing Address			- Tournay		Onizonanje		
Tustin City	State	CA	z	92782 lip	US Country		
Name of Additional Joint Inventor, if any:		A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])			Family Name or Surname				
JAWAHAR M.	JAWAHAR M. ALI						
Inventor's Signature					Date		
Lake Forest	CA	US			iN		
Residence: City	State	10	ountry	′	Citizenship		
26541 Rancho Park Mailing Address							
Lake Forest		CA		92630	US		
City	State		Z	<u>Cip</u>	Country		
Name of Additional Joint Inventor, if any:		A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])			Family Name or Surname				
DAVID J. Inventor's Signature		BATT	LES	; 	Date		
Santa Barbara	CA US		US	US			
Residence: City	State	Country		<i>'</i>	Citizenship		
P.O. Box 1559							
Mailing Address							
Santa Barbara City	CA State		z	93102 (ip	CA Country		

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/02A (06-07)
Approved for use through 06/30/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION

ADDITIONAL INVENTOR(S)

DECLARATION			Supplemental Sheet Page 4 of 4				
Name of Additional Joint Inventor, if any:	_	A petition has been filed for this unsigned inventor					
· · · · · · · · · · · · · · · · · · ·			Family Name or Surname				
PAUL W.			3				
Inventor's Signature			-		Date		
Trabuco Canyon	CA US		US	US			
Residence: City	State	Country			Citizenship		
31 Pegasus Drive Mailing Address							
		CA		92679	US		
Trabuco Canyon City	State		Zip		Country		
Name of Additional Joint Inventor, if any:		A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
JAY J. EUM							
Inventor's Signature			·		Date		
Irvine	CA	US		US	US		
Residence: City	State	tate Country			Citizenship		
124 Spring Valley Mailing Address							
Irvine	l .	CA		92602	US		
City	State		Zip		Country		
Name of Additional Joint Inventor, if any:		A petition has been filed for this unsigned inventor			insigned inventor		
Given Name (first and middle [if any])		Family Name or Surname					
Inventor's Signature					Date		
Residence: City	State	Country			Citizenship		
Mailing Address		-					
City	State		Zip)	Country		

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EXHIBIT D

Under:

PTO/SB/81 (01-06)
Approved for use through 12/31/2008. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
It to respond to a collection of information unless it displays a valid OMB control number.

Application Number 10/700,326 Filing Date 11/3/2003 **First Named Inventor** SANFORD D. DAMASCO Title **COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED** ABLATIVE/TEMPERATURE SENSING **DEVICES Art Unit** 3737 **Examiner Name** KHOLDEBARIN, IMAN K **Attorney Docket Number** ENDO108-C1-CP2-CP

POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

I hereby revoke all previous powers of attorney given in the above-identified application.						
I hereby appoint:						
X Practitioners associated with the Customer Number:	33746					
OR						
Practitioner(s) named below:						
Name	Name Registration Number					
as my/our attorney(s) or agent(s) to prosecute the application identifulation Trademark Office connected therewith.	ied above, and to transact all business in the United States Patent and					
Please recognize or change the correspondence address for the abo	ve-identified application to:					
The address associated with the above-mentioned Custon OR	ner Number: 33740					
The address associated with Customer Number:						
OR						
Firm or Individual Name						
Address						
City	State Zip					
Country						
	Telephone Email					
I am the: X Applicant/Inventor						
Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/S	B/96).					
SIGNATURE of Applica	nt or Assignee of Record					
Signature	Date					
Name DAVID J. BATTLES	Telephone					
Title and Company						
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.						
*Total of forms are submitted.						

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EXHIBIT D

ASSIGNMENT

ENDO108-C1-CP2-CP

Assignment Before Issue of Letters Patent

WHEREAS, Sanford D. Damasco, Thach Duong, Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum (hereinafter "Assignor") have invented certain new and useful improvements in

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES

(hereinafter "invention") for which Assignor has made application for LETTERS PATENT OF THE UNITED STATES (Ser. No. 10/700,326 filed November 3, 2003), which application has been duly executed by Assignor on even date herewith.

AND WHEREAS, ENDOCARE, INC., a corporation organized and existing under the laws of the State of Delaware, U.S.A., having a place of business at ENDOCARE, Inc., 201 Technology Drive, Irvine, CA 92618 U.S.A. hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said invention within the United States of America and its territorial possessions and all foreign countries and any United States or foreign LETTERS PATENT that may be granted therefore.

NOW, THIS INDENTURE WITNESSETH, that for good and valuable considerations, the receipt whereof is hereby acknowledged, Assignor has assigned, sold and transferred, and does hereby assign, sell and transfer to the said Assignee the entire right, title and interest in and to the said invention, within the United States of America and its territorial possessions and all foreign countries and in and to any LETTERS PATENT of the United States and foreign countries, including utility models, inventor's certificates and like government grants, and all divisions, reissues, continuations and extensions thereof that may be granted therefor, and the right to apply for LETTERS PATENT in foreign countries with full benefit of such priorities as may now or hereafter be granted to Assignor by local laws or by treaty, including any international convention, for the protection of industrial property, together with the right to extend the protection of said U.S. LETTERS PATENT to the various territorial possessions now owned or which may be hereafter acquired by the United States of America, all said rights to be held and enjoyed by the Assignee for its own use and benefit, and for the use and benefit of its successors or assigns, to the full end of the term for which said LETTERS PATENT may be granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made. And Assignor does hereby request and authorize the Commissioner of Patents and Trademarks, U.S.A., to issue said U.S. LETTERS PATENT, when granted, in accordance with this assignment.

Assignor further covenants and agrees with the Assignee that Assignor has a full and unencumbered title to the invention hereby assigned, which title Assignor warrants unto the Assignee, and Assignor further agrees that Assignor will, without demanding any further consideration therefor, at the request but at the expense of the Assignee, do all lawful and just acts, including the execution and acknowledgment of instruments, that may be or become necessary for obtaining, sustaining, extending, reissuing or reexamining United States and foreign LETTERS PATENT or the like for the said invention, and for maintaining and perfecting the Assignee's right to said invention and LETTERS PATENT particularly in cases of interference, conflict, opposition and litigation.

IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007
SANFORD D. DAMASCO		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.

THACH DUONG

ASSIGNMENT

ENDO108-C1-CP2-CP

IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
JAWAHAR M. ALI		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
DAVID J. BATTLES		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
PAUL W. MIKUS		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
JAY J. EUM		

EXHIBIT D ITEM 5

Appl. No. 10/700,326 Statement Under Rule 48

Appl. No.

10/700,326

Applicant

DAMASCO ET AL

Filed

11/03/2003

Title

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED

ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U.

3737

Examiner

KHOLDEBARIN, IMAN K

Docket No. :

ENDO108-C1-CP2CP

Customer No. :

33746

Confirm. No. :

5138

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

STATEMENT UNDER RULE 48

Sir/Madam:

I, DAVID J. BATTLES hereby declare that:

I was not listed as an inventor during the original filing of the above identified continuation in part patent application (Serial No. 10/700,326). This error in inventorship occurred without deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

DAVID J. BATTLES
Applicant/Inventor
P.O. Box 1559
Santa Barbara, CA 93102

Date

Appl. No. 10/700,326

REQUEST UNDER 37 C.F.R. 1.48(a)

Appl. No.

10/700,326

Applicant

SANFORD D. DAMASCO, ET AL.

Filed

11/03/2003

Title

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED

ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U.

3737

Examiner

KHOLDEBARIN, IMAN K

Docket No. :

ENDO108-C1-CP2CP

Customer No. : Confirm. No. :

PO Box 1450

33746 5138

Commissioner for Patents

Alexandria, VA 22313-1450

REQUEST UNDER 37 C.F.R. 1.48(a)

Sir/Madam:

It is respectfully requested that inventorship for the above identified continuation in part patent application be corrected to add the following inventors:

JAWAHAR A. ALI

DAVID J. BATTLES

PAUL W. MIKUS

JAY J. EUM

This request is being supported by the following attached documents:

- 1. Statement Under Rule 48 executed by Paul W. Mikus;
- 2. Statement Under Rule 48 executed by Jay J. Eum;
- 3. Declaration for Filing Patent Application (37 C.F.R. 1.63) executed by Sanford D. Damasco:
- 4. Declaration for Filing Patent Application (37 C.F.R. 1.63) executed by Thach Duong and Jay J. Eum;
- 5. Declaration for Filing Patent Application (37 C.F.R. 1.63) executed by Paul W. Mikus;
- 6. Assignee Consent in Support of Request for Correction of Inventorship Under Rule 48;
- 7. Assignment executed by Sanford D. Damasco;
- 8. Assignment executed by Thach Duong and Jay J. Eum;
- 9. Assignment executed by Paul W. Mikus.

Appl. No. 10/700,326
REQUEST UNDER 37 C.F.R. 1.48(a)

Also submitted herewith is a Petition Under 37 C.F.R. 1.47(a) and its supporting documents. This error in inventorship occurred without deceptive intention on the part of the undersigned.

Attached hereto is the Petition fee set forth in 37 CFR 1.17(i).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

LAWRENCE N. GINSBERG,

Attorney for Applicant, Reg. No. 30,943

Telephone 949-450-5454

Appl. No. 10/700,326 Statement Under Rule 48

Appl. No.

10/700,326

Applicant

DAMASCO ET AL

Filed

11/03/2003

Title

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED

ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U.

3737

Examiner

KHOLDEBARIN, IMAN K

Docket No. :

ENDO108-C1-CP2CP

Customer No. :

33746

Confirm. No. :

5138

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

STATEMENT UNDER RULE 48

Sir/Madam:

I, PAUL W. MIKUS hereby declare that:

I was not listed as an inventor during the original filing of the above identified continuation in part patent application (Serial No. 10/700,326). This error in inventorship occurred without deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,		
\bigcap		
1 16 10	al 8(0)	
PAUL W. MIKUS Applicant/Inventor	Date	
Applicant/Inventor		

31 Pegasus Drive Trabuco Canyon, CA 92679 Appl. No. 10/700,326 Statement Under Rule 48

Appl. No.

10/700,326

Applicant

DAMASCO ET AL

Filed

11/03/2003

Title

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED

ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U.

3737

Examiner

KHOLDEBARIN, IMAN K

Docket No.

ENDO108-C1-CP2CP

Customer No. :

33746

Confirm. No. :

5138

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

STATEMENT UNDER RULE 48

Sir/Madam:

I, JAY J. EUM hereby declare that:

I was not listed as an inventor during the original filing of the above identified continuation in part patent application (Serial No. 10/700,326). This error in inventorship occurred without deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

JAY J. EUM/

Date

9/4/02

Applicant/lr/ventor 124 Spring Valley Irvine, CA 92602

PTO/SB/01 (06-07) Approved for use through 06/30/2007. OMB 0651-0032

nder the Raperwork Re	duction Act	of 1995, no persons are required to response		ademark Office; U.S. DEPARTMENT OF COMMERCE n unless it contains a valid OMB control number
DECLARATION FOR UTILITY-OR		-Attorney Docket Number	ENDO108-C1-CP2-CP	
	DE	SIGN	First Named Inventor	SANFORD D. DAMASCO
PAT	TENT A	PPLICATION	CO	MPLETE IF KNOWN
	(37 CI	FR 1.63)	Application Number	10/700,326
Declaration Submitted	OR	X Declaration Submitted after Initial	Filing Date	11/3/2003
With Initial	On	Filing (surcharge	Art Unit	3737
Filing		(37 CFR 1.16 (e)) required)	Examiner Name	KHOLDEBARIN, IMAN K
		··		

I hereby declare that:					
Each inventor's residence, mailin	g address, and	d citizenship are as stated t	pelow next to their na	ame.	
I believe the inventor(s) named b) of the subject matte	er which is claimed and for	
which a patent is sought on the in	nvention entitle	90:			
COMPUTER GUIDED ABLATIVE/TEMPERA			G INTEGRATE	D	
		(Title of the Invention)			
the specification of which		(This of the invention)			
is attached hereto					
OR .				•	
X was filed on (MM/DD/YYY	(Y) 11/03 /	as United Sta	ates Application Numb	per or PCT International	
Application Number 10/700,3	3 26 ar	nd was amended on (MM/D	D/YYYY) 04/30/2	(if applicable).	
I hereby state that I have reviewed amended by any amendment spe	d and understa cifically referre	nd the contents of the above d to above.	e identified specificati	on, including the claims, as	
I acknowledge the duty to discle continuation-in-part applications, and the national or PCT internation	ose information material inform nal filing date o	n which is material to pater nation which became availa of the continuation-in-part ap	ntability as defined in the between the filing plication.	n 37 CFR 1.56, including for g date of the prior application	
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.					
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO	
Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:					

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DECLARATION – Utility or Design Patent Application						
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Name				- ,		
Address						
City			State			ZIP
Country		phone 9) 450-5454		Email LGinsbe	rg@end	docare.com
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Given Name (first and middle [if		A pet	ition has beer	nily Name or	Surnam	
SANFORD D. Inventor's Suparture				DAMAS	T	Date 9/26/07
	State CA		Country JS		Citizens US	
Mailing Address 22 Rincon						
Irvine	State CA	omed on the	Zip 92620	OTO DE CO	U	ountry S
X Additional inventors or a legal rep	presentative are being na	amed on the	supplemental sh	e((s) P10/SB/0	ZA OF UZLR	attached hereto.

		Supplemen	ntal Sheet	Page <u>3</u> of <u>4</u> .		
				1 ugc 0 01 4.		
Name of Additional Joint Inventor, if any:		A petitio	on has been filed for this	unsigned inventor		
Given Name (first and middle[if any])		Family Nam	ne or Surname			
THACH						
Inventor's Signature		•		Date		
Tustin	CA		US	US		
Residence: City	State	Cou	intry	Citizenship		
2037 Cherokee						
Mailing Address						
Tustin		CA	92782	US		
City	State		Zip	Country		
Name of Additional Joint Inventor, if any:	A petition has been filed for			unsigned inventor		
Given Name (first and middle [if any])			Family Name	ne or Surname		
JAWAHAR M. ALI						
Inventor's Signature				Date		
Lake Forest	CA		US	IN		
Residence: City	State	Cou	intry	Citizenship		
26541 Rancho Park						
Mailing Address						
Lake Forest	(CA	92630	US		
City	State		Zip	Country		
Name of Additional Joint Inventor, if any:		A petition	on has been filed for this	this unsigned inventor		
Given Name (first and middle [if any])			Family Name	or Surname		
DAVID J. BATTLES						
Inventor's Signature				Date		
Santa Barbara	CA	US		US		
Residence: City	State	Cou	intry	Citizenship		
P.O. Box 1559						
Mailing Address						
Santa Barbara		CA	93102	CA		
City	State		Zio	Country		

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			nal Inventor(5) ental Sheet	Page 4 of 4.	
Name of Additional Joint Inventor, if any:		A petit	ion has been filed for th	nis unsigned inventor	
Given Name (first and middle[if any])		Family Na	me or Surname		
					
Inventor's Signature	_	MIKUS		Date	
Trabuco Canyon Residence: City	CA State	Co	US	US	
31 Pegasus Drive	State	1 00	untry	Citizenship	
Mailing Address	_	_			
Trabuco Canyon City	State	CA	92679 Zip	US Country	
Name of Additional Joint Inventor, if any:		A petit	ion has been filed for th	nis unsigned inventor	
Given Name (first and middle [if any])	·		Family Nam	ne or Surname	
JAY J.		EUM			
Inventor's Signature				Date	
Irvine	CA		US	US	
Residence: City	State	Co	ountry	Citizenship	
124 Spring Valley					
Mailing Address					
Irvine		CA	92602	US	
City	State		Zip	Country	
Name of Additional Joint Inventor, if any:		A petit	ion has been filed for th	nis unsigned inventor	
Given Name (first and middle [if any])			Family Name or Surname		
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Inventor's Signature				Date	
Residence: City	State Country			Citizenship	
Mailing Address					
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DECEARATION FOR UTILITY OR	Attorney Docket ENDO108-C1-CP2-CP Number					
DESIGN	First Named Inventor	SANFORD D. DAMASCO				
PATENT APPLICATION	COMPLETE IF KNOWN					
(37 CFR 1.63)	Application Number	10/700,326				
Declaration Submitted OR Declaration Submitted after Initial	Filing Date	11/3/2003				
With Initial Filing (surcharge	Art Unit	3737				
Filing (37 CFR 1.16 (e)) required)	Examiner Name	KHOLDEBARIN, IMAN K				

I hereby declare that:					
Each inventor's residence, mailing	•	•			
I believe the inventor(s) named be which a patent is sought on the ir	elow to be the	original and first inventor(s)) of the subject matte	er which is claimed	and for
Which a patent is sought on the ii	iverition entitle	u.			
COMPUTER GUIDED	ABLATION	N OF TISSUE USING	S INTEGRATE	o	
ABLATIVE/TEMPERA	TURE SEN	ISING DEVICES			:
			•		
		(Title of the Invention)			
the specification of which					
is attached hereto					
OR					
x was filed on (MM/DD/YYY	Y) 11/03/	2003 as United Sta	ates Application Numb	er or PCT Internation	nal
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Application Number 10/700,3	3 26 an	nd was amended on (MM/DI	D/YYYY) 04/30/2	(if applic	able).
I hereby state that I have reviewed amended by any amendment spe	d and understa cifically referre	nd the contents of the above d to above.	e identified specificati	on, including the cla	ims, as
I acknowledge the duty to disck continuation-in-part applications,	se information	which is material to pater	ntability as defined in	n 37 CFR 1.56, inc	luding for
continuation-in-part applications, and the national or PCT internation	material informinal filing date of	nation which became available the continuation-in-part ap	plication.	g date of the prior a	pplication
I hereby claim foreign priority be	enefits under 3	5 U.S.C. 119(a)-(d) or (f),	or 365(b) of any for	eign application(s) f	or patent,
I hereby claim foreign priority be inventor's or plant breeder's right country other than the United Sta application for patent, inventor's of	s certificate(s), tes of America	or 365(a) of àny`PCT inten listed below and have also	nationàl ápplication v identified below, by	which designated at checking the box, a	least one ny foreign
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Prior Foreign Application		Foreign Filing Date	Priority	Certified Copy A	
Number(s)	Country	(MM/DD/YYYY)	Not Claimed	YES	NO
	,				님 !
Additional favoire assistants	numbers or "-	tod on a supplemental stiethy	data about BTO/SB/00	R attached barata:	
Additional foreign application	numbers are ils	ted on a supplemental priority of	uala sheel PTO/SB/02	o allacrieu nerelo:	

[Page 1 of 2]

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DECLARATION – Utility or Design Patent Application Direct all X The address OR Correspondence 33746 correspondence to: associated with address below Customer Number: Name Address ZIP City State Telephone Country Email (949) 450-5454 LGinsberg@endocare.com **WARNING:** Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. A petition has been filed for this unsigned inventor NAME OF SOLE OR FIRST INVENTOR: Given Name (first and middle [if anv]) Family Name or Surname SANFORD D. DAMASCO Inventor's Signature Date Residence: City State Country Citizenship Irvine CA US US Mailing Address 22 Rincon City State Zip Country Irvine CA 92620 US

supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

Additional inventors or a legal representative are being named on the

DECLARATION			ental Sheet	Page <u>3</u> of <u>4</u> .		
Name of Additional Joint Inventor, if any:		A petit	ion has been filed for this	s unsigned inventor		
Given Name (first and middle[if any])		Family Na	me or Surname			
THACH			G			
Inventor's Signature Union	in			Date 9-12-07		
Tustin Residence: City	State CA	Co	US puntry	US Citizenship		
2037 Cherokee						
Mailing Address						
Tustin		CA	92782	US		
City	State		Zip	Country		
Name of Additional Joint Inventor, if any:				s unsigned inventor		
Given Name (first and middle [if any])			Family Name	or Surname		
JAWAHAR M. ALI						
Inventor's Signature				Date		
Lake Forest	CA		US	IN		
Residence: City	State	Co	ountry	Citizenship		
26541 Rancho Park						
Mailing Address			_			
Lake Forest		CA	92630	US		
City	State		Zip	Country		
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Given Name (first and middle [if any])		Family Name or Surname				
DAVID J. BATTLE			_ES	_		
Inventor's Signature	_			Date		
Santa Barbara	CA		US	US		
Residence: City	State	Co	ountry	Citizenship		
P.O. Box 1559						
Mailing Address						
Santa Barbara		CA	93102	CA		
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ADDITIONAL INVENTOR(S)

DECLARATION		Suppl	ement	al Sheet	Page 4 of 4.	
Name of Additional Joint Inventor, if any:		A [etition	n has been filed for this	unsigned inventor	
Given Name (first and middle[if any])		Family	Name	e or Surname		
PAUL W.		MIK	บร			
Inventor's Signature					Date	
Trabuco Canyon	CA			US	US	
Residence: City	State		Cour	ntry	Citizenship	
31 Pegasus Drive Mailing Address						
Trabuco Canyon		CA		92679	US	
City	State			Zip	Country	
Name of Additional Joint Inventor, if any:		A	petition	n has been filed for this	unsigned inventor	
Given Name/(first and middle [if any])			Family Name or Surname			
// JAY J.		EUN	/			
Inventor's Signature					Date 4/2/07	
/ Irvine	CA	US		US	US	
Residence: City	State		Country		Citizenship	
124 Spring Valley						
Mailing Address						
Irvine		CA		92602	US	
City	State			Zip	Country	
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Given Name (first and middle [if any])				Family Name	or Surname	
	-					
Inventor's Signature	_		<i>-</i>		Date	
Residence: City	State		Cour	ntry	Citizenship	
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Filing (37 CFR 1.16 (e)) required)	Examiner Name	KHOLDEBARIN, IMAN K

I hereby declare that:				
Each inventor's residence, mailing add				
I believe the inventor(s) named below t which a patent is sought on the invention		first inventor(s)	of the subject matte	er which is claimed and for
which a patent is sought on the inventor	·	- 		
COMPUTER GUIDED ABL			INTEGRATE	o
ABLATIVE/TEMPERATUR	RE SENSING DE	VICES		
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	(Title of the	Invention)		
the specification of which				
is attached hereto				
OR				
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I acknowledge the duty to disclose int continuation-in-part applications, materi	formation which is ma	aterial to patent	ability as defined in	n 37 CFR 1.56, including for
continuation-in-part applications, mater and the national or PCT international fili	ng date of the continua	ecame available ation-in-part app	le between the filing dication.	date of the prior application
I hereby claim foreign priority benefits	under 35 U.S.C. 119	(a)-(d) or (f), or	r 365(b) of any fore	eign application(s) for patent.
I hereby claim foreign priority benefits inventor's or plant breeder's rights certi country other than the United States of application for patent, inventor's or plan	ificate(s), or 365(a) of America, listed below	àny`PCT intema and have also i	ationàl ápplication v identified below, by	which designated at least one checking the box, any foreign
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Prior Foreign Application	Foreign f	iling Date	Priority	Certified Copy Attached?
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Additional families and institutions and			L	
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[Page 1 of 2]

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	DECLARATION – Utility or Design Patent Application						
correspondence to:	e address ociated with stomer Number:		33746		OR [Correspondence address below	
Name							
Address			<u></u>				
City			State			ZIP	
Country		ephone 9) 450-5454		Email LGinsb	erg@ei	ndocare.com	
		VX/A IDE	MINC.				
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NAME OF SOLE OR FIRST IN	NVENTOR:	A pe	etition has	been filed for th	is unsigı	ned inventor	
Given Name (first and middle SANFORD D.	Given Name (first and middle [if any]) SANFORD D. Family Name or Surname DAMASCO			me			
Inventor's Signature						Date	
Residence: City	State		Country		Citize	nship	
Irvine	CA US		1		US	•	
Mailing Address 22 Rincon							
City	State		Zip			Country	
Irvine	CA		92620)		us	
X Additional inventors or a legal	representative are being n	amed on the	sunnlement	tal sheet(s) PTO/SR	02A or 02l	R attached hereto	

DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet			
					Page 3 of 4.
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Name of Additional Joint Inventor, if any:				h has been filed for this	s unsigned inventor
Given Name (first and middle[if any])		1		e or Surname	
THACH Inventor's		שטע	<u>DNG</u>		<u>"</u>
Signature					Date
Tustin	CA			US	US
Residence: City	State		Cour	ntry	Citizenship
2037 Cherokee					
Mailing Address					
Tustin		CA		92782	US
City	State			Zip	Country
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Given Name (first and middle [if any])			Family Name or Sumame		
JAWAHAR M. A					
Inventor's Signature				Date	
Lake Forest	CA		US		IN
Residence: City	State		Country		Citizenship
26541 Rancho Park					
Mailing Address					
Lake Forest	T	CA		92630	US
City	State			Zip	Country
Name of Additional Joint Inventor, if any:		A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])		Family Name or Surname			
DAVID J.					1
Inventor's Signature					Date
Santa Barbara CA					US
Residence: City State		Country Citizenship			
P.O. Box 1559					
Mailing Address					
Santa Barbara		CA		93102	CA
City	State			Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

DECLARATION				AL INVENTOR(S) tal Sheet		
		Suppl	emem	an Sheet	Page 4 of 4.	
		$\overline{\Box}$.				
Name of Additional Joint Inventor, if any:				h has been filed for this	s unsigned inventor	
Given Name (first and middle[if any]) PALO W.				e or Surname		
Inventor's		MIK	US		1	
Signature \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\					Date 9(30/07	
Trabuco Canyon	CA			US	us	
Residence: City	State		Cour	ntry	Citizenship	
31 Pegasus Drive						
Mailing Address						
Trabuco Canyon		CA	Ì	92679	US	
City	State			Zip	Country	
Name of Additional Joint Inventor, if any:		<u> </u>	petitio	n has been filed for this	s unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname				
JAY J. EUM				· · · · · · · · · · · · · · · · · · ·		
Inventor's Signature					Date	
Irvine	CA	-		US	US	
Residence: City	State		Cour	ntry	Citizenship	
124 Spring Valley						
Mailing Address						
Irvine	T	CA	_	92602	US	
City	State			Zip	Country	
Name of Additional Joint Inventor, if any:		A	petitio	n has been filed for this	s unsigned inventor	
Given Name (first and middle [if any])			Family Name or Surname		or Surname	
Inventor's Signature					Date	
Residence: City		Country		ntry	Citizenship	
Mailing Address						
City	State			Zip	Country	

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Appl. No. 10/700,326
ASSIGNEE CONSENT IN SUPPORT OF CORRECTION
OF INVENTORSHIP UNDER RULE 48

Appl. No.

10/700,326

Applicant

SANFORD D. DAMASCO, ET AL.

Filed

11/03/2003

Title

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED

ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U.

3737

Examiner

KHOLDEBARIN, IMAN K

Docket No.

ENDO108-C1-CP2CP

Customer No. :

33746

Confirm. No. :

5138

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

ASSIGNEE CONSENT IN SUPPORT OF REQUEST FOR CORRECTION OF INVENTORSHIP UNDER RULE 48

Sir/Madam:

I, Clint Davis, hereby declare that:

As an officer of Endocare, Inc. I hereby consent to the addition of Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as listed inventors for the above identified continuation in part patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

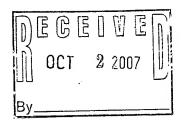
CLINT DAVIS

Senior Vice President, Legal Affairs and General Counsel,

Endocare, Inc.

Date

October 4, 2007



ENDO108-C1-CP2-CP

Assignment Before Issue of Letters Patent

WHEREAS, Sanford D. Damasco, Thach Duong, Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum (hereinafter "Assignor") have invented certain new and useful improvements in

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES

(hereinafter "invention") for which Assignor has made application for LETTERS PATENT OF THE UNITED STATES (Ser. No. 10/700,326 filed November 3, 2003), which application has been duly executed by Assignor on even date herewith.

AND WHEREAS, ENDOCARE, INC., a corporation organized and existing under the laws of the State of Delaware, U.S.A., having a place of business at ENDOCARE, Inc., 201 Technology Drive, Irvine, CA 92618 U.S.A. hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said invention within the United States of America and its territorial possessions and all foreign countries and any United States or foreign LETTERS PATENT that may be granted therefore.

NOW, THIS INDENTURE WITNESSETH, that for good and valuable considerations, the receipt whereof is hereby acknowledged, Assignor has assigned, sold and transferred, and does hereby assign, sell and transfer to the said Assignee the entire right, title and interest in and to the said invention, within the United States of America and its territorial possessions and all foreign countries and in and to any LETTERS PATENT of the United States and foreign countries, including utility models, inventor's certificates and like government grants, and all divisions, reissues, continuations and extensions thereof that may be granted therefor, and the right to apply for LETTERS PATENT in foreign countries with full benefit of such priorities as may now or hereafter be granted to Assignor by local laws or by treaty, including any international convention, for the protection of industrial property, together with the right to extend the protection of said U.S. LETTERS PATENT to the various territorial possessions now owned or which may be hereafter acquired by the United States of America, all said rights to be held and enjoyed by the Assignee for its own use and benefit, and for the use and benefit of its successors or assigns, to the full end of the term for which said LETTERS PATENT may be granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made. And Assignor does hereby request and authorize the Commissioner of Patents and Trademarks, U.S.A., to issue said U.S. LETTERS PATENT, when granted, in accordance with this assignment.

Assignor further covenants and agrees with the Assignee that Assignor has a full and unencumbered title to the invention hereby assigned, which title Assignor warrants unto the Assignee, and Assignor further agrees that Assignor will, without demanding any further consideration therefor, at the request but at the expense of the Assignee, do all lawful and just acts, including the execution and acknowledgment of instruments, that may be or become necessary for obtaining, sustaining, extending, reissuing or reexamining United States and foreign LETTERS PATENT or the like for the said invention, and for maintaining and perfecting the Assignee's right to said invention, and for maintaining and perfecting the Assignee's right to said invention and LETTERS PATENT particularly in cases of interference, conflict, opposition and litigation.

SANFORD D. DAMASCO	_day of September_	, 2007.
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
THACH DUONG		

ENDO108-C1-CP2-CP

IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007
		•
JAWAHAR M. ALI		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
DAVID J. BATTLES		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
PAUL W. MIKUS		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
IAV I FUM		

ENDO108-C1-CP2-CP

Assignment Before Issue of Letters Patent

WHEREAS, Sanford D. Damasco, Thach Duong, Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum (hereinafter "Assignor") have invented certain new and useful improvements in

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES

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NOW, THIS INDENTURE WITNESSETH, that for good and valuable considerations, the receipt whereof is hereby acknowledged, Assignor has assigned, sold and transferred, and does hereby assign, sell and transfer to the said Assignee the entire right, title and interest in and to the said invention, within the United States of America and its territorial possessions and all foreign countries and in and to any LETTERS PATENT of the United States and foreign countries, including utility models, inventor's certificates and like government grants, and all divisions, reissues, continuations and extensions thereof that may be granted therefor, and the right to apply for LETTERS PATENT in foreign countries with full benefit of such priorities as may now or hereafter be granted to Assignor by local laws or by treaty, including any international convention, for the protection of industrial property, together with the right to extend the protection of said U.S. LETTERS PATENT to the various territorial possessions now owned or which may be hereafter acquired by the United States of America, all said rights to be held and enjoyed by the Assignee for its own use and benefit, and for the use and benefit of its successors or assigns, to the full end of the term for which said LETTERS PATENT may be granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made. And Assignor does hereby request and authorize the Commissioner of Patents and Trademarks, U.S.A., to issue said U.S. LETTERS PATENT, when granted, in accordance with this assignment.

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IN TESTIMONY WHEREOF, I have hereunto set my hand this _	day of _		, 2007.
SANFORD D. DAMASCO			
IN TESTIMONY WHEREOF, I have hereunto set my hand this _	12 ¹ day of _	September	, 2007.
Muchling			
THACH DUONG	•		

ENDO108-C1-CP2-CP

IN TESTIMONY WHEREOF, I have hereunto set my hand this _	day of	, 2007.
JAWAHAR M. ALI		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
DAVID J. BATTLES		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
PAUL W. MIKUS		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	2/st day of_	Septembe, 2007.

ENDO108-C1-CP2-CP

Assignment Before Issue of Letters Patent

WHEREAS, Sanford D. Damasco, Thach Duong, Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum (hereinafter "Assignor") have invented certain new and useful improvements in

COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES

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IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
SANFORD D. DAMASCO		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
The result of the second secting hand this	day or	, 2007

THACH DUONG

ENDO108-C1-CP2-CP

IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
JAWAHAR M. ALI		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
DAVID J. BATTLES		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of Sep	rombon, 2007.
PAUL W. MIKUS		
IN TESTIMONY WHEREOF, I have hereunto set my hand this	day of	, 2007.
JAY J. EUM		

PTO/SB/81 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035

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POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

Application Number	10/700,326
Filing Date	11/3/2003
First Named Inventor	SANFORD D. DAMASCO
Title	COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES
Art Unit	3737
Examiner Name	KHOLDEBARIN, IMAN K
Attorney Docket Number	ENDO108-C1-CP2-CP

I hereby revoke	all previous powers of attorney given in the a	above-identified application.			
I hereby appoin	t:				
X Practition	Practitioners associated with the Customer Number:				
OR					
Practition	er(s) named below:				
	Name	Registratio	n Number		
as my/our attorne Trademark Office	ey(s) or agent(s) to prosecute the application identification connected therewith.	led above, and to transact all busi	ness in the United States Patent and		
Please recognize	or change the correspondence address for the abo	ve-identified application to:			
X The add	dress associated with the above-mentioned Custon	ner Number: 33746			
OR					
The ad OR	dress associated with Customer Number:				
Firm or					
Address					
City		State	Zip		
Country					
Telephone		Email	····		
I am the: X Applicant	/Inventor				
Assignee Statemen	of record of the entire interest. See 37 CFR 3.71. t under 37 CFR 3.73(b) is enclosed. (Form PTO/S	B/96).			
	SIGNATURE of Applica	nt or Assignee of Record	•		
Signature	(1)	Date	9/18/62		
Name	PAUL W. MIKUS	Telephone			
Title and Company					
NOTE: Signatures of one signature is requ	f all the inventors or assignees of record of the entire intere ired, see below*.	st or their representative(s) are required	Submit multiple forms if more than		
*Total of	forms are submitted.				

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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	Application Number	10/700,326		
	Filing Date	11/3/2003		
\vdash	First Named Inventor	SANFORD D. DAMASCO		
	Title	COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES		
	Art Unit	3737		
	Examiner Name	KHOLDEBARIN, IMAN K		
	Attorney Docket Number	ENDO108-C1-CP2-CP		

I hereby revoke all previous powers of attorney given in the above-identified application.	
I hereby appoint:	
X Practitioners associated with the Customer Number:	33746
OR	
Practitioner(s) named below:	
Name	Registration Number
as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.	
Please recognize or change the correspondence address for the above-identified application to:	
The address associated with the above-mentioned Customer Number.	
OR The address associated title O at a second title O	
The address associated with Customer Number: OR	
Firm or Individual Name	
Address	
City	State Zip
Country	
Telephone	Email
I am the:	
X Applicant/Inventor	
Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).	
SIGNATURE of Applicant or Assignee of Record	
Signature	Date 9/4/2
Name JAY J. EUM	Telephone
Title and Company	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.	
*Total of forms are submitted.	

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